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3 **BEFORE THE FEDERAL ELECTION COMMISSION**

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FEDERAL ELECTION
COMMISSION
AUG 13 2002

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4 In the Matter of)

2002 AUG 13 P 4:42

5 Charles Ball for Congress)

6 and Justin Briggs, as treasurer)

MUR 4919

SENSITIVE

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9 **GENERAL COUNSEL'S REPORT #12**

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11 **I. ACTIONS RECOMMENDED:** Accept the attached conciliation agreement and close
12 the file as to Charles Ball for Congress and Justin Briggs, as treasurer.

13 **II. BACKGROUND**

14 On June 19, 2002, the Commission found probable cause to believe that Charles Ball for
15 Congress knowingly and willfully violated 2 U.S.C. 441d(a) and 441h and that Justin Briggs, as
16 treasurer of Charles Ball for Congress, violated 2 U.S.C. 441d(a) and 441h. The Commission
17 voted to conciliate with Charles Ball for Congress and Justin Briggs, as treasurer (collectively
18 "the Ball Committee"). The Commission also decided to take no further action against Heather
19 Patterson, and closed the file as it pertains to her. Finally, the Commission found probable cause
20 to believe that Adrian Plesha knowingly and willfully violated 2 U.S.C. 441h and referred
21 Mr. Plesha to the Department of Justice pursuant to 2 U.S.C. 437g(a)(5)(C). On June 27, 2002,
22 the referral package was formally transmitted to DOJ.¹ Through consultations with DOJ, before
23 and after the transmittal, this Office learned that DOJ has no objection to the Commission
24 pursuing conciliation with the Ball Committee.

25 Attached is a signed conciliation agreement
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¹ DOJ recently informed this Office that an investigation as to Mr. Plesha has been opened. Pursuant to 2 U.S.C. § 437g(c), the Commission can expect to receive the initial formal report from DOJ on August 26, 2002.

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III. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Charles Ball for Congress and Justin Briggs, as treasurer.
2. Close the file as to Charles Ball for Congress and Justin Briggs, as treasurer.
3. Approve the appropriate letters.

Lawrence H. Norton
General Counsel

8/13/02
Date

BY: Rhonda J. Vosdingh
Rhonda J. Vosdingh
Associate General Counsel for Enforcement

Jonathan Bernstein
Jonathan Bernstein
Assistant General Counsel

Dominique Dillenseger
Dominique Dillenseger
Attorney

Other staff assigned:

Wade Sovonick

Daniel Pinegar

Jack Gould

Attachments

1. Conciliation Agreement

2. Initial civil penalty check

3. Ball Committee Letter